

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

CONFEDERATED TRIBES AND BANDS OF
THE YAKAMA NATION, a sovereign recognized
Indian Tribe,

Plaintiff,

-vs-

CITY OF TOPPENISH, a municipality of the State
of Washington,

Defendant.

Case No. 1:24-CV-03189-MKD

CIVIL MINUTES

DATE: NOVEMBER 27, 2024

**LOCATION: SPOKANE VIDEO
CONFERENCE**

**HEARING ON MOTION FOR
TEMPORARY RESTRAINING ORDER**

Honorable Mary K. Dimke		
Cora Vargas Courtroom Deputy	01 Law Clerk	Allison Anderson Court Reporter
Ethan Jones Anthony Aronica Nick Kahmann Plaintiff's Counsel	Not present Defendant's Counsel	

[X] Open Court

[] Chambers

[X] Video conference

The Court summarized the status of service on the defendant and the Court's efforts to contact the defendant – plaintiff's counsel served the City of Toppenish City Manager by email and personal service, and notified him by telephone, and no response has been filed or received. The City Manager also has failed to respond to the email sent to him on November 26, 2024 by the Courtroom Deputy.

Plaintiff's Motion for Temporary Restraining Order and Preliminary Injunction, ECF No. 4.

- Mr. Jones confirmed that service of all documents and notice of this hearing was affected upon the City Manager by email, personal service, and telephone, and that a response to the motion has not been received.
- Mr. Jones provided argument in support of the Motion for Temporary Restraining Order.

Court: Plaintiff's Motion for Temporary Restraining Order, ECF No. 4, is **GRANTED** – the City of Toppenish is prohibited from taking any action that prevents or is intended to prevent the Yakima Valley Farm Workers Clinic from hosting a 24-hour emergency cold weather shelter on nonmember owned fee lands within the City of Toppenish on the Yakama Reservation for the duration of the order. A hearing on the Motion for Preliminary Injunction, ECF No. 4, is set for **December 18, 2024 at 10:00 AM in Yakima** – counsel may appear in person or by video conference. The Temporary Restraining Order will remain in effect until the Preliminary Injunction Hearing is held, or further order of the Court. Plaintiff's counsel shall continue to serve the defendant with all filings and orders in this matter.

[X] ORDER FORTHCOMING

CONVENED: 8:04 A.M.	ADJOURNED: 8:28 A.M.	TIME: :24 HR.	CALENDARED [X]
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